

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Street & Alley Vacation #02007

DATE: June 11, 2002

PROPOSAL: To vacate a portion of un-named street south of Perkins Boulevard between S. 17th Street and Harrison Ave.

LAND AREA: 13,454 square feet, more or less

CONCLUSION: The requested vacation is currently used as park land. Provided that the actual pavement location is dedicated as public street right of way, this request conforms to the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Conforms to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: A tract of land composed of a portion of un-named right-of-way located in the SW 1/4 of Section 36, T10N, R6E of the 6th P.M., City of Lincoln, Lancaster County, Nebraska, and more particularly described in the attachment.

LOCATION: South of Perkins Boulevard, between S. 17th Street and Harrison Avenue

APPLICANT: Lynn Johnson, Director of Parks & Recreation
2740 "A" Street
Lincoln, NE 68502
(402) 331-7847

OWNER: City of Lincoln

SURROUNDING LAND USE AND ZONING:

North: R-4 residential
South: P park
East: R-4 residential
West: P park

HISTORY: This area was converted from B Two Family Dwelling District to P Public Use in the **1979 Zoning Update**.

STREET VACATION NO.00018
PAGE 2

The Garfield Park plat was filed at the Register of Deeds on **July 25, 1916**.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan designates this area as Parks and Open space.

UTILITIES: There are existing sanitary and storm sewer systems within the proposed vacation. If the property were to be sold to a private owner, permanent easements would need to be dedicated.

TRAFFIC ANALYSIS: This un-named street is considered a local street in the 2025 Comprehensive Plan. If approved, this action will not change existing traffic movements.

ANALYSIS:

1. The Garfield Park plat was filed at the Register of Deeds in 1916. The street connecting S. 17th Street to Perkins Blvd./Harrison Ave. was built in a different location than was shown on the plat. This application proposes the vacation of the un-named street and the dedication of public right-of-way where the street was actually built.
2. The area of this vacation is currently park land.
3. The as-built street must be dedicated to the public as part of this vacation.

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 Provide a metes and bounds legal description for the existing paved area, which is to be dedicated as public right-of-way.

Prepared by:

Jason Reynolds
Planner

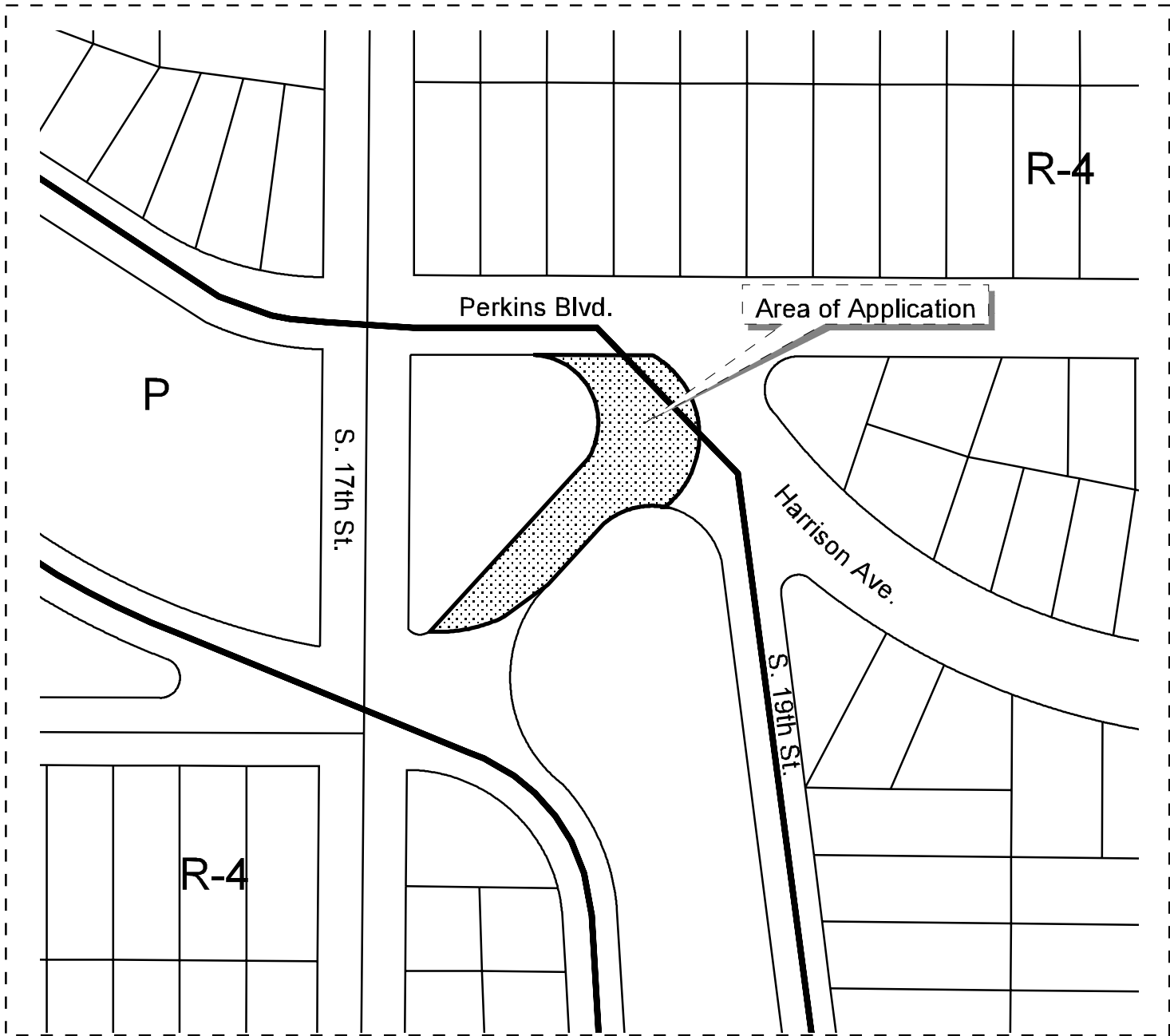


Street & Alley Vacation #02007
A portion of un-named street,
south of Perkins Blvd. between
S. 17th & Harrison Ave.



Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.

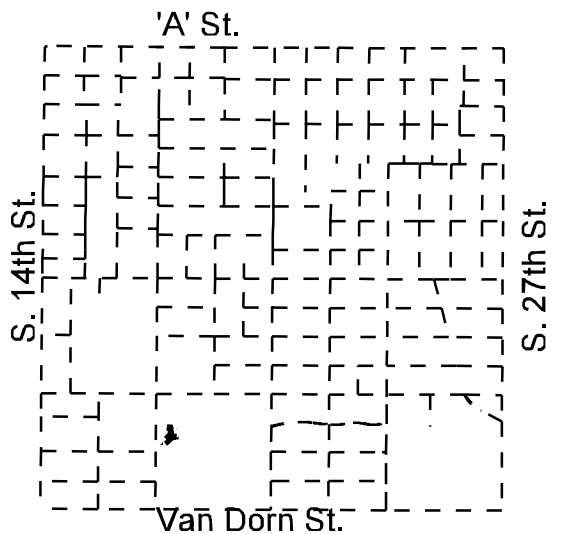
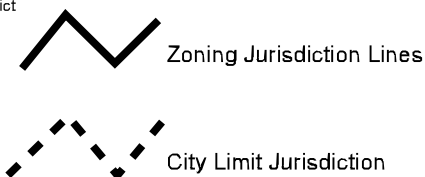


Street & Alley Vacation #02007
A portion of un-named street,
south of Perkins Blvd. between
S. 17th & Harrison Ave.

Zoning:

R-1 to R-8	Residential District
AGR	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 36 T10N R6E



Lincoln



Nebraska's Capital City

May 23, 2002

Lincoln City/Lancaster County
Planning Commission
Lincoln, Nebraska 68508

RE: Vacating a Portion of Un-Named Street Located South of Perkins Boulevard between South 17th Street and Harrison Avenue

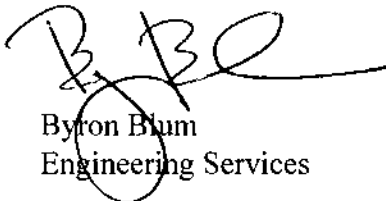
Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received a petition from Lynn Johnson, Director of Lincoln Parks and Recreation Department, to vacate the above described public right-of-way. This vacation is requested because existing street pavement does not fall in the platted right-of-way. The intention is to vacate the existing right-of-way and establish new right-of-way to fit existing pavement.

The City of Lincoln has existing sanitary and storm sewer systems in this area. If this area were ever to be sold to a private owner, permanent easements would need to be dedicated.

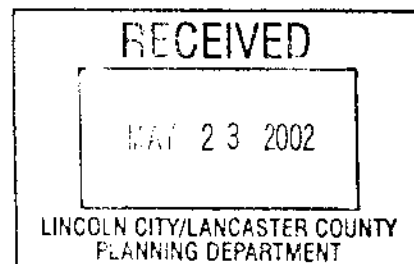
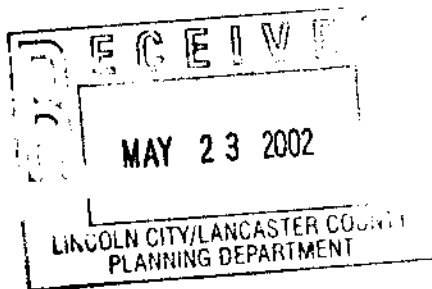
The Department of Public Works recommends approval of this request subject to dedication of right-of-way over the existing pavement. This vacation contains an area of 13,454.06 square feet, more or less.

Sincerely,


Byron Blum
Engineering Services

cc: Mayor Wesely
Allan Abbott
Kent Morgan
Marc Wullschleger
Roger Figard
Nicole Fleck-Tooze
Joan Ross
Clint Thomas
Dana Roper

S 17th & Harrison Vac Ltr adm wpd



INTEROFFICE MEMORANDUM

RECEIVED

JUL 09 2002

LAW DEPT. *DR*

MO2-06833

TO: Mayor Wesely
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Real Estate Division

ATTENTION:

DATE: July 9, 2002

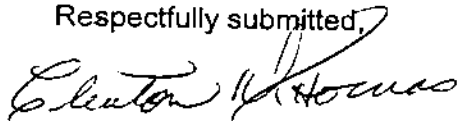
COPIES TO: Joan Ross
Kathleen Sellman
Dana Roper
Byron Blum

SUBJECT: Vacating a portion of Unnamed Street
located south of Perkins Boulevard
between South 17th Street and
Harrison Avenue

A request has been made by the City of Lincoln Parks and Recreation Department to vacate a portion of the street lying between 17th Street and Harrison Avenue. When the street was originally built, it was constructed at a location other than that which was originally platted. This vacation and the subsequent dedication of right-of-way at the location of the existing street would bring our plat maps and right-of-way descriptions into conformance with what actually exists on the ground.

Since this matter is primarily a housekeeping issue entirely within City Departments, it is recommended the street be vacated at no cost in exchange for the dedication of right-of-way at the appropriate location.

Respectfully submitted,



Clinton W. Thomas
Certified General Appraiser #990023

LINCOLN CITY - LANCASTER COUNTY
PLANNING DEPARTMENT

RECEIVED

MO2-00628 JUL 01 2002
LAW DEPT.



MEMORANDUM

Date: July 1, 2002

To: Steve Titus, Engineering Services
Clint Thomas, Real Estate
Rick Peo, Law

From: Jason Reynolds, Planning JR

Subject: Street & Alley Vacation #02007

The Parks & Recreation department is in the process of having a street vacated near S. 17th and Harrison Ave. The street was platted in one location and actually constructed in another location. As part of the conditions of approval, they have provided us with a metes and bounds legal description for the street's actual location.

Steve - please confirm that the description will be acceptable to Public Works & Utilities or fax corrections to me at 441-6377. You can also reach their contracted surveyor, Mike Johnson, at 458-5626.

Clint & Rick - please prepare any necessary documents for accepting the new right-of-way.

Thanks!